

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- July 13, 1966

Appeal No. 8845 James W. Symington, appellant

The Zoning Administrator of the District of Columbia, appellee

On motion duly made, seconded and unanimously carried, the following Order was entered by the Board at its meeting on July 18, 1966.

EFFECTIVE DATE OF ORDER: August 26, 1966

ORDERED:

That the appeal for permission to establish offices of a non-profit organization on second floor of building at 1310 - 19th St., N.W., lot 64, Square 115, be granted.

From the record and the evidence adduced at the public hearing, the Board finds the following facts:

- (1) Appellant's property is located in an SP District.
- (2) The lot is improved with a brick row building consisting of four stories. The lot has a frontage of 20 feet on 19th Street, N.W. and a depth of 69.50 feet and contains 1390 square feet.
- (3) The subject building has been converted and modernized for office use.
- (4) Appellant proposes to lease the first and second floors to the University of California.
- (5) A Certificate of Exemption from the District of Columbia sales and use tax was filed as evidence of the non-profit status of the organization. (Exhibit No. 8)
- (6) The office will represent the University of California in its dealings with various branches of the Government.
- (7) The office will have seven employees and operate during the hours 9:30 a.m. to 7:00 p.m. daily and half a day on Saturday.
- (8) There will be no parking provided on the premises since there is no access to the lot. Employees will utilize public parking in the area.
- (9) At the public hearing, the Board amended the subject appeal to include a request for a variance from the required parking for the subject premises.
- (10) There was no objection to the granting of this appeal registered at the public hearing. The record contains two (2) letters expressing support for the appeal.

OPINION:

We are of the opinion that granting permission to the University of California, a non-profit organization, to occupy space on the first and second floors in the subject building at 1310 - 19th St., N.W. is in keeping with the letter, intent, and purpose of Section 41 of the Zoning Regulations.

We are further of the opinion that the proposed use will be in harmony with existing uses of neighboring and adjoining properties and will not create any dangerous or otherwise objectionable traffic conditions. The proposed use will have no adverse affect upon nearby or adjoining property.

The Board holds that appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations and relief from the parking requirement of the Regulations will have no adverse affect upon the purpose or intent of the Zoning Plan as embodied in the Zoning Regulations and Map.

The Order shall be subject to the following:

- (a) The floor area and the location to be occupied by the organization listed in this appeal may be changed without further Order of this Board.
- (b) The Board retains jurisdiction over the use of space in the subject premises by non-profit organizations.